

**BOROUGH OF WESTWOOD  
WORK MEETING OF THE MAYOR & COUNCIL  
FEBRUARY 16, 2010 MINUTES  
MUNICIPAL COMPLEX  
101 Washington Avenue  
7:30 PM Executive Closed Session/8:00 pm Work Session**

**1. Opening of the Meeting:**

The meeting was called to order by Mayor Birkner at 7:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

**2. Roll Call:**

Mayor Birkner – Present  
Councilmember Grefrath - Present  
Councilmember Phayre - Present  
Councilmember Quinn - Present  
Councilmember Sciara - Present  
Councilmember Waneck - Present  
Council President Miller - Present  
Borough Administrator Hoffmann - Present  
Borough Attorney Huntington - Present  
Borough Clerk Hughes - Present

**Committee Assignments:**

Finance, Administration & Capital Projects  
Public Properties  
Health & Recreation  
Fire & Ambulance  
Land Use  
Police & OEM

**3. Executive Closed Session:**

**RESOLVED THAT** the Mayor and Council of the Borough of Westwood shall convene in Executive Closed Session to discuss the following matters:

Personnel Matters  
Pending/Potential Litigation  
Attorney's Report

Said discussions are deemed legally confidential pursuant to NJSA 10:4-12(b)

- (7) Litigation or contract negotiation, attorney/client
- (8) Employment matters

The Clerk is directed to keep separate minutes of the meeting which shall be made public once that matter has been resolved.

**Motion to enter Closed Session with the intention to reconvene in Open Session:** Council President Miller Second: Councilmember Sciara

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes  
Councilmember Quinn - Yes  
Councilmember Sciara – Yes  
Councilmember Waneck - Yes  
Council President Miller - Yes

**4. Reopen the Meeting:**

**Motion to reopen the meeting:** Council President Miller

Second: Councilmember Grefrath

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 8:05 pm.

**5. Roll Call II:**

Mayor Birkner – Present  
Councilmember Grefrath - Present  
Councilmember Phayre - Present  
Councilmember Quinn – Present  
Councilmember Sciara - Present  
Councilmember Waneck - Present  
Council President Miller - Present  
Borough Administrator Hoffmann - Present  
Borough Attorney Huntington - Present  
Borough Engineer Boswell - Present  
Borough Clerk Hughes – Present

**6. Presentation of Colors/Flag Salute by Westwood Boy Scouts**

The Westwood Boy Scouts presented the colors and led the Pledge of Allegiance.

**7. Moment of Silence**

Mayor Birkner asked for a moment of silence for the American service men and women serving throughout the world. He also requested that everyone keep Marine Sgt. Christopher R. Hrbek's family in their prayers. Council President Miller gave the invocation.

**8. Retirement of Colors by Westwood Boy Scouts**

**9. Presentation of a Donation to the Sgt. Hrbek Scholarship Fund by the Westwood Police Department PBA**

Mayor Birkner introduced the members of the Westwood PBA to make a special presentation to the Sgt. Hrbek Scholarship Fund. Sgt. Pontillo read the following statement into the record:

On January 14, 2010, the events of the world and the war left a permanent mark on Westwood, New Jersey. That day we learned that Sgt. Christopher Hrbek of the United States Marine Corps was killed in action, fighting for our country in Afghanistan. Many of us knew Sgt. Hrbek, but not for the wrong reasons – Chris was a good-hearted kid, a volunteer in his community through the Westwood Fire Department, and a decorated United States Marine.

In the days and weeks following Sgt. Hrbek's death, the outpouring of support from people in the area showed an unmatched spirit of community, patriotism and unity. People from all walks of life helped in anyway they could to pay tribute to his memory. This spirit was evident during Sgt. Hrbek's homecoming, wake and funeral.

As a Police Department, we wondered how we could help keep Sgt.

Hrbek's memory alive. It was an easy decision when the family started the scholarship fund in his name. As we started a collection, we were challenged by some local businessmen, to whom this cause hit very close to home. Those businessmen stated that they would match whatever the Police Department could raise toward the scholarship fund.

Sgt. Hutchinson was instrumental in garnering the support from the local businessmen, and he would like to publicly announce and thank them for their support.

Sgt. Hutchinson announced the following businesses:

American Fittings Corp.  
Burke Built Construcion Co. Inc.  
C&C Tie Inc.  
Johnston Brothers Contracting  
Kelly Donahue Contracting Inc.  
Pascack Community Bank  
Steve Phykitt Plumbing and Heating  
Timber Tree Service  
Palisades Land and Management LLC  
Westwood Truck Repair

Sgt. Pontillo continued: Through the combined generosity of these businessmen and the Westwood Police PBA, we would like to present a check in the amount of \$9,000 to Sgt. Hrbek's family.

Although the world left its mark on Westwood, New Jersey on January 14, 2010, in the following days and weeks, the Westwood Community, in return, left its own mark on the world for how we honored our hero and welcomed him home. For that, all those involved should be forever proud.

Officer Sean Roche of the Westwood PBA and Sgt. Pontillo presented the check to Cheryl and JayMee Hodges.

Sgt. Pontillo introduced Fire Chief Marc Fedorchak to make comments on behalf of the Fire Department:

When I found out about Sgt. Christopher Hrbek's death, I had a lot of emotions, like all of us had: sadness, anger, hurt. We lost a friend. We lost a United States Marine. We lost a Westwood firefighter. We lost a resident. We lost a friend, a brother and a son.

As all the phone calls, and all the well wishes started coming in, giving their support not only to the Fire Department, but to the Police Department, I realized

that this was going to be something monumental, something that the town of Westwood has never seen. As I received those phone calls, and well wishers, and people looking to help, the anger and sadness turned actually into pride, and joy, and honor. Proud of being a Westwood resident, and what this community, and how this community was going to honor Christopher. Pride in being the Westwood Fire Chief, and honor, knowing how the Fire Department was going to be instrumental in working with the Police Department in what we were going to do to honor Sgt. Hrbek. I'd like to thank the Westwood Police Department. I'd like to thank all the Emergency Services, the Fire Service and Law Enforcement community, plus all the residents, who came out and supported and honored our hero. Also a group of people that were instrumental are the people behind me, the family, but also the Mayor and Council. Whenever we needed something, we went to the Mayor and Council. The answer was never no, it was always no problem. Anything we needed was handled, and handled very well.

It's my honor, to thank, and to be a part, of your family, but also to the Council. Thank you for everything that you did to make this historic, and to honor Sgt. Hrbek the way he was.

Sgt. Pontillo stated that the Borough Employees had also contributed towards the scholarship fund.

Mayor Birkner thanked Sgt. Pontillo. He told the family that everyone's blessings and prayers are with them, and they are being held in our hearts.

JayMee Hodges noted that the Westwood Cub Scouts had sent an awesome gift package to Christopher's unit in Afghanistan just prior to Christmas. Mr. Hodges said that all the Marines truly appreciated the gifts and the support it represented. On behalf of the Marines, Mr. Hodges thanked the boys.

JayMee Hodges read the following statement:

Christopher had a personal relationship with all of our Police Department, with the exception of a few of the newer members. We're sorry they didn't have the opportunity to know him. So many of you always gave Christopher positive influence and guidance that he obviously used to his advantage in the Marine Corps as well as the Fire Service. We're sure by the contribution made by all who assisted in this historic tribute it is clearly evident how he was loved and respected. In addition to the other, that I have only known as anonymous, donations to that scholarship fund, thank you all for your generosity, so much, it comes from the bottom of our hearts.

This truly shows how devoted our Police Department, and so many others, are to assisting our future adults. The Sgt. Christopher Hrbek Scholarship is

something to assist children in pursuing the goal led by his own example of service and sacrifice. The Westwood Police Department is truly showing their love and concern for others by their generous donation to assist in others' futures. Christopher would be so pleased, as he truly loved children. Cheryl and I, and Amy and Laurie who's not present, and Jim and Bo, both working in a firehouse in New York this evening, can't thank all of you enough, each and every one of you, our Mayor and Council, our Police Department, our brothers in the Fire Service in Bergen and Rockland County, for all that you've done for making Christopher Hrbek our hero of this community and of this nation. Thank you.

**10. Proclamation Honoring 100 Years of Boy Scouting**

**11. Resolution #10 - 61: Appointment of Police Officer Dean McCarroll**

**Motion to adopt resolutions #10-61:** Council President Miller Second:  
Councilmember Sciara

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

Mayor Birkner administered the Oath of Office to Dean McCarroll. Chief Regino presented him with his Westwood Police Department badge.

There was a brief recess to allow those wishing to do so to leave the room.

**12. Resolution #10 - 62: Appointment to Environmental Advisory Committee**

Councilmember Waneck explained that the Environmental Advisory Committee provides for two student members. She read the resolution appointing Lucas Bernhardt and Skyler Dehaan to the committee.

**Motion to adopt resolutions #10-62:** Councilmember Waneck Second:  
Councilmember Grefrath

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

Mayor Birkner administered the Oath of Office to Skyler Dehaan.

Mayor Birkner noted it is the first time students will be participating in a committee and giving input towards forming policies.

### **13. Reports of Committees and Officials:**

#### **A) Mayor's Report**

##### **1) Police Incident**

Mayor Birkner reported on an incident where a downtown shop owner received an envelope containing white powder. He gave kudos to the Westwood Police for their quick response and professional action. The substance turned out to be white sugar, and part of a larger hoax. Mayor Birkner wanted to let the community know that it is safe and that the Borough's Emergency Responders respond quickly to keep the community safe. Council President Miller added that the Police Chief advises the public that if you receive an odd envelope do not open it. Take precautions and call the Police Department.

##### **2) Westvale Park**

Mayor Birkner advised that the Westvale Park bond ordinance is on the agenda for introduction later in the meeting. He reminded everyone that with all lovely snow, Westvale Park is ideal for cross country skiing.

##### **3) HUMC**

Mayor Birkner reported that he had no update on HUMC. The matter is still awaiting the outcome of pending lawsuits. Mayor Birkner said the Pascack Valley Mayors Association will be discussing their course of action regarding the hospital at their next meeting.

##### **4) Train Signalization**

Mayor Birkner commented that the train crossing signalization is still frustrating the Governing Body and residents. The Borough is trying to coordinate with NJ Transit, DOT, and the County of Bergen to keep traffic moving. The Borough has received communication from John Del Colle of NJ Transit to meet again on the matter. Councilmember Sciara, Mayor Birkner and Mr. Hoffmann will set up a meeting. Mayor Birkner noted that the problem is not unique to Westwood, as evidenced by the recent complaints from Montvale and Park Ridge that their municipalities are cut in half when a train arrives, causing public safety issues.

##### **5) Geese Peace**

Geese Peace training was held on February 13<sup>th</sup>. Residents can still sign up to be a Geese Peace volunteer.

**6) Shared Services**

Mayor Birkner announced that on Thursday Bergen County will turn over keys to the new Pascack Valley sewer jet truck to be shared among the communities. The road repaving bond ordinance tonight is also part of a shared service project. Mayor Birkner pointed out that the Borough is moving forward to share equipment and services to save money.

**B) Engineer's Report**

**1) Bi-weekly Report**

Dr. Boswell reviewed the biweekly engineering report, a copy of which is attached.

**2) Westvale Park Improvements**

Dr. Boswell said he has incorporated the dog park changes provided by Councilmember Waneck. The project should be ready to advertise by the end of the month, with the bid opening March 23 and award of contract on March 30. Dr. Boswell estimates the fields would be ready in June 2011, or preferably September. Councilmember Grefrath asked if the landfill closure report is required in order for the improvements project to move forward. Dr. Boswell confirmed that it is not needed in order to move forward. Dr. Boswell said that he saw letter advising that Malcolm Pirnie is not providing the landfill closure report. He strongly urges the Borough to get it from them, but it does not affect moving forward with the improvements. It does affect the 30 year clock.

Mayor Birkner asked Dr. Boswell to stay for the introduction of the Westvale Park Improvements bond ordinance.

**Ordinance for Introduction**

10-4      An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Improvements To Westvale Park And Related Expenses For The Borough Of Westwood And Appropriating \$2,730,000 Therefor (Including A Grant In The Amount Of \$500,000 Expected To Be Received From The State Of New Jersey, Department Of Environmental Protection Pursuant To The Green Acres Program, A Bergen County Open Space Grant In The Amount Of \$325,215) And Providing For The Issuance Of \$1,809,535 In General Improvement Bonds Or Notes Of The Borough Of Westwood To Finance The Same

**BE IT RESOLVED** that Ordinance #10-04 entitled: "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Improvements To Westvale Park And Related Expenses For The Borough Of Westwood And

Appropriating \$2,730,000 Therefor (Including A Grant In The Amount Of \$500,000 Expected To Be Received From The State Of New Jersey, Department Of Environmental Protection Pursuant To The Green Acres Program, A Bergen County Open Space Grant In The Amount Of \$325,215) And Providing For The Issuance Of \$1,809,535 In General Improvement Bonds Or Notes Of The Borough Of Westwood To Finance The Same” is hereby introduced by title; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a 16<sup>th</sup> day of March 2010 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Grefrath

Second: Councilmember Phayre

Roll Call: Councilmember Grefrath - as Finance Chair, noted that \$1.2 million was bonded for the Pascack Brook sewer pipe, which was an emergency and necessity. The project should be completed in June 2010, coming in at several hundred thousand dollars less than the bond. The unused portion of debt could come off the books by September. The police communications desk has been installed and paid with no need to bond. The Council will revisit grants to make sure they are realized for the Westvale project. Yes.

Councilmember Phayre - echoed the comments of the Finance Chair.

Councilmember Phayre is glad that the landfill closure certificate is a separate issue. Yes

Councilmember Quinn - very excited about moving forward with the project. When completed it will be the culmination of the work of many people who have worked very hard. No one person, group or Governing Body will be responsible for the success of the project. Westvale will be place for all ages to enjoy. Yes, it is asking the community to give more, but it is also asking the community to come together. Yes

Councilmember Sciara - considering these economic times, it is time to put the project out to bid. Contractors are looking for work. The Borough will have an elite group of contractors bidding, and will see better price, which won't see any cheaper than today. Yes.

Councilmember Waneck - fellow Councilmembers make good arguments, such as making sure the Borough has grant money in hand, and this being the best time for contractors. Councilmember Waneck said that since the introduced amount is not equal to what will be spent, she would like a line by line review of the bid before



adopting the ordinance. Yes.

Council President Miller – this is a critical project that is exceptionally important. The Governing Body takes the expenditure of every dollar seriously. If there is spending here there can't be spending somewhere else. Every Councilmember will be watchful to guarantee this project is in on time and under budget. Yes.

Mayor Birkner said he appreciates the votes. Everyone should recognize how hard every Councilmember has worked to transform Westvale park into a premier recreation facility. This is an historic vote because this has been and will be the largest capital project in Borough history. The landfill capping was a large, costly and complex endeavor. Turning it into a quality recreation facility is something very special. This will be used for more than sports, it will be a recreation facility for all ages. Residents can exercise without dangers of traffic, or just enjoy the fields and woods. This is the culmination of many years of effort and vision of many Governing Bodies. Mayor Birkner commended this Governing Body for their vote. Councilmember Phayre said 65 Governing Body members have participated in this project. Mayor Birkner said the Engineer's presentation and plans are available in the Clerk's office.

**Motion to open the floor for comment on Ordinance 10-4 only:** Councilmember Phayre  
Second: Councilmember Quinn

Paul Cuomo, 10 Westervelt Place – asked if there is any way the money can be diverted now that the Council has voted. Mayor Birkner said the ordinance was introduced tonight. The second vote will be held on March 16 to adopt the ordinance. He suggested Mr. Cuomo might want to come back when the ordinance is adopted, at which time there will be public hearing. Mayor Birkner explained that the money that is identified by ordinance will only be spent on Westvale Park to fix and upgrade the facility, period. It does not go somewhere else.

The Borough is bonding for the whole project amount, but is expecting \$800,000 plus in grant money. Council President Miller said the Borough has not received any grant money yet. If that doesn't come in the Council will absolutely have to revisit this. Councilmember Grefrath said the project could not move forward unless the Borough was promised that the money is going to be available. He pointed out that the bids can be lower than the bonded amount, in which case the Borough doesn't have to spend all the bond money. Councilmember Waneck pointed out that the bids can come in higher also.

Angelo Piero, 34 St. Nicholas Avenue – thanked the Governing Body on behalf of softball.

John Westervelt, 11 Steinbach Place – thanked the Governing Body.

Devon Colley, 82 Westwood Blvd. – came from two military posts that did projects like this. Mr. Colley said it not only improved the facilities but also the welfare of the people on post.

It also brought money in because they were able to bid on tournaments to use the facility. He thanked the Governing Body.

**Motion to Close Floor:** Council President Miller Second: Councilmember Phayre

**C) Council Liaison & Committee Reports**

**1) Finance, Administration and Capital Projects:**

**a) Budget Update**

Councilmember Grefrath reported that the Budget Committee met on February 9<sup>th</sup>. The Governing Body has asked for no more than a 1% increase. The next Budget meeting will be March 10<sup>th</sup> with the Borough Auditor.

**b) Shade Tree Update**

The Shade Tree Committee has looked at the plans for Ketler School and has found several trees in danger. Shade Tree will be advising the Planning Board of their findings.

**c) Veterans Park**

Councilmember Grefrath apologized for being tardy in responding to green initiatives from Councilmember Waneck. The Veteran's Park Committee will be meeting soon to discuss them.

**d) Recodification**

Councilmember Grefrath reported that the next recodification report would be given at the March work session. The recodification will continue through the May meeting.

**2) Police and OEM:**

**a) Accreditation**

Council President Miller reported that less than 1% of Police Departments are accredited. He noted the policies and procedures are being finalized. The Governing Body will be receiving the revisions week prior to the meeting for review. Once completed with the policy, the accreditation team will establish proofs. The Police Department has set an aggressive goal of completing the process in September, but it may happen sooner.

**b) PBA Contract**

Council President Miller commented that he has negotiated contracts before, and is pleased with how the PBA contract negotiations were performed. The Council gave clear definition to its expectations and didn't alter its values. The Police

Committee clearly identified objectives and moved forward. The members of the PBA helped ensure the negotiation was completed on time with no need for mediation or arbitration. Council President Miller believes that if both parties walk away saying it was not quite what they want, then it is a good settlement. The PBA negotiated with an appreciation of the economic times and the impact on the residents. Council President Miller encouraged the Council to approve the contract.

Mayor Birkner echoed Council President Miller's comments. He said it was a professionally done process, and thanked the Police Committee, PBA and Council. Mayor Birkner holds the PBA in the highest regard for the gentlemanly and professional negotiations.

**3) Fire and Ambulance:**

**a) Fire Department**

Councilmember Sciara stated his pride in the Fire Department for the role they played in the services for Sgt. Hrbek.

**4) Public Properties:**

**a) DPW Update**

Councilmember Phayre said snow is what it's all about. The brine program results in the stripes on the street, which indicate the brine is applied properly.

Councilmember Phayre explained that Brine creates a layer that eases the plowing process. He has noticed in the local papers that many other communities are interested in using brine. Councilmember Phayre commented that one recycling date was moved last week due to the weather, but there were not too many complaints.

Councilmember Phayre applauded the road department, who donated to the Hrbek local scholarship program.

**5) Land Use:**

**a) Land Use Board Update**

Councilmember Waneck said the Planning Board cancelled its meeting last Thursday. Where many towns are consolidating, the Westwood Planning Board is canceling unneeded meetings and waiting for the day when applications pick up. The Zoning Board is very active, with a special meeting scheduled for Monday on CVS. They will hear the Pompilios application at the first meeting in March, and will continue the hearing at a special meeting on March 15.

**b) Historical Commission Update**

Councilmember Waneck announced that the monthly Historical Commission meeting

was postponed to this week due to snow. There is an ordinance being introduced tonight permitting historical homeowners to receive a construction fee waiver, which is something the Board had requested of the Governing Body. The Board is putting final touches on its historical designation pamphlet. Councilmember Waneck commented that the Borough Attorney is working on a historical easement for the Paragon Property that will protect the historical designation should the property change hands.

**c) Environmental Advisory Committee**

Councilmember Waneck noted that the Environmental Advisory Committee met for the first time two weeks ago. At the next meeting, ANJAC will attend to give a presentation and direction on how to focus the Board's efforts. The following meeting will include a presentation by the Bergen Swan group.

**6) Health and Recreation:**

**a) Health Department Update**

Councilmember Quinn advised that the anti-rabies program vaccinated 239 dogs and 58 cats.

**b) Library Update**

The Library "Green Screen" was a successful event. Councilmember Quinn thanked Mayor Birkner, Mr. Hoffmann and Lee Tremble for participating in the discussion and watching the film. Councilmember Waneck noted that the Environmental Advisory Committee members attended. Councilmember Quinn said the Scouts helped with environmental games, and everyone enjoyed program. Councilmember Waneck pointed out that the event can be used towards Sustainable NJ points.

**c) Recreation Update**

Councilmember Quinn thanked Council President Miller for attending the last meeting of the Recreation Board for her. The Board has discussed starting a program for children with special needs. Councilmember Quinn relayed that the Recreation Board is happy to hear about the progress with Westvale Park plans.

**d) Bergen County Community Development**

Councilmember Quinn attended a Bergen County Community Development meeting. The liaisons were presented with the grants for 2010, and started reviewing applications. The next meeting is March 4, where the grant allocations will be decided. Councilmember Quinn said it looks favorable that Westwood will receive grant money for barrier free bathrooms at Westvale.

**D) Attorney's Report**

No report

**E) Administrator's Report**

Mr. Hoffmann requested the press let the public know to shovel their sidewalks after a snowstorm.

**14. Agenda/Public Forum:**

**Motion to open the Agenda/Public Forum:** Councilmember Phayre

Second: Councilmember Sciara

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**No one wished to be heard.**

**Motion to Close the Agenda/Public Forum:** Councilmember Phayre

Second: Councilmember Sciara

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**15. Ordinances of First & Final Reading:**

**Ordinances For Introduction**

**10-2** An Ordinance To Amend Chapter 15.32 Entitled "Construction Code Fees" Of The Municipal Code Of The Borough Of Westwood

**BE IT RESOLVED** that Ordinance #10-02 entitled: "An Ordinance To Amend Chapter 15.32 Entitled "Construction Code Fees" Of The Municipal Code Of The Borough Of Westwood" is hereby introduced by title; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a 16<sup>th</sup> day of March 2010 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Waneck

Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

- 10-3** An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The 2010 Roadway Improvement Program For The Borough Of Westwood And Appropriating \$450,000 (Including A Grant In The Amount Of \$200,000 Expected To Be Received From The State Of New Jersey, Department Of Transportation) Therefor And Providing For The Issuance Of \$237,500 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

**BE IT RESOLVED** that Ordinance #10-03 entitled: “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The 2010 Roadway Improvement Program For The Borough Of Westwood And Appropriating \$450,000 (Including A Grant In The Amount Of \$200,000 Expected To Be Received From The State Of New Jersey, Department Of Transportation) Therefor And Providing For The Issuance Of \$237,500 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same” is hereby introduced by title; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a 16<sup>th</sup> day of March 2010 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Grefrath

Second: Councilmember Quinn

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

Councilmember Waneck noted that Dr. Boswell will be providing the Borough with an updated road repaving list.

### **Ordinances on Final Hearing**

- 10-1** An Ordinance Amending Ordinance No. 09-12 Entitled “An Ordinance To Establish Fees For Recreation Activities Within the Borough of Westwood”

**BE IT RESOLVED** that Ordinance #10-1 entitled: “An Ordinance Amending Ordinance No. 09-12 Entitled “An Ordinance To Establish Fees For Recreation Activities Within the Borough of Westwood””, having hereby been read by title, shall have a hearing held on this date.

**Motion to open the public hearing:** Councilmember Phayre

Second: Councilmember Quinn  
Roll Call: Councilmember Grefrath - Yes  
Councilmember Phayre - Yes  
Councilmember Quinn - Yes  
Councilmember Sciara - Yes  
Councilmember Waneck - Yes  
Council President Miller – Yes

**Public Comments:**

No comments.

**Motion to close the public hearing:** Councilmember Quinn

Second: Councilmember Grefrath

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**BE IT RESOLVED** that an Ordinance known as #10-01 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

**Motion for final adoption:** Councilmember Quinn

Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath - Yes  
Councilmember Phayre - Yes  
Councilmember Quinn - Yes  
Councilmember Sciara - Yes  
Councilmember Waneck - Yes  
Council President Miller – Yes

**16. Presentation of Bills, Financial Reports and Resolutions:**

Mayor Birkner advised that the following Resolutions would be enacted in one motion. Councilmembers who wished to remove any Resolution(s) to be voted upon separately, had the opportunity to do so at this time, and said Resolutions would be considered separately.

Councilmember Grefrath noted that the resolution Amending Temporary Budget was removed from the Consent Agenda as per the Borough Auditor. He noted that there was a replacement resolution for the Resolution Approving the Collective Bargaining Agreement between the Borough of Westwood and the New Jersey Policemen's Benevolent Association, Local 206 (Westwood Unit) for the period January 1, 2010 through December 31, 2014. Mrs. Hughes explained that the Memorandum of Understanding needed to be approved first according to the Labor Attorney.

Councilmember Waneck asked if there were any conflicting dates between the Riley Center using Veterans Park and the Heritage Society. Mrs. Hughes advised that the requests come through the Recreation Department, who checks the calendar and confirms the dates are available

prior to passing the requests to the Governing Body. Councilmember Sciara noted that the organizations work together on their events.

**Resolutions as Consent Agenda:**

**Resolution #10 - 63: Bill List & Statement of Cash**

**Resolution #10 - 64: Authorizing A Grant Agreement for 2009 Business  
Stimulus Fund Grant Under The Community Forestry  
Program**

**Resolution #10 - 65: Resolution Approving the Memorandum of Understanding  
between the Borough of Westwood and the New Jersey  
Policemen's Benevolent Association, Local 206  
(Westwood Unit)**

**e) Resolution #10 - 66: Authorizing Engineering Inspection for the Pascack  
Brook Sanitary Sewer Improvements**

**f) Resolution #10 - 67: Authorization to Perform Gas Generation Modeling**

**g) Resolution #10 - 68: Authorization to Install a Monitoring Well**

**h) Resolution #10 - 69: Award of Bid for Veterans Park Water Lines**

**i) Resolution #10 - 70: Authorization to Repair Police Generator**

**j) Resolution #10 - 71: Read Across America NJ**

**k) Resolution #10 - 72: Raffle License #390 – Zion Lutheran Church**

**l) Resolution #10 - 73: Raffle License #391 – Zion Lutheran Church**

**m) Resolution #10 - 74: Use of Veteran's Park for Thomas J. Riley Senior  
Center**

**n) Resolution #10 - 75: Approval of Thomas J. Riley Senior Center Application  
to Consume Alcoholic Beverages on Public Property**

**Motion to adopt resolutions #10-63 through #10-75: Councilmember Grefrath**

Second: Councilmember Sciara

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara - Yes

Councilmember Waneck - Yes

Council President Miller – Yes

Councilmember Waneck noted that the Westvale presentation by Dr. Boswell at the February 2<sup>nd</sup> meeting should be made available without the projected costs pages, which could jeopardize the bid. Mrs. Hughes will ensure that the pages are removed.

**17. Adjournment:**



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Public Meeting of the Mayor and Council  
February 16, 2010

**Motion to adjourn:** Councilmember Sciara

Second: Council President Miller

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 9:49 pm.

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk

Robert S. Hoffmann, Borough Administrator